

**Notice of Allowability**

Application No.

09/640,301

Examiner

Thai Tran

Applicant(s)

SUZUKI ET AL.

Art Unit

2616

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response to restriction requirement filed Sept. 27, 2004.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ The drawings filed on 16 August 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

This application is in condition for allowance except for the presence of claims 12 to 25 nonelected without traverse. Accordingly, claims 12-25 have been canceled.

2. The following is an examiner's statement of reasons for allowance:

Claims 1-5 are directed to a recording apparatus. Independent claim 1 identifies the uniquely distinct features "control means for detecting the state of the reproduced management information by using the management information and, on the basis of the detection result, controlling said reproducing means to reproduced management data from the first area of the disk-like recording medium", "modifying means for modifying the management information reproduced from the second area, on the basis of the management data reproduced from the first area", and "recording means for recording an image signal in the first area of the disk-like recording medium and recording the management information modified by said modifying mean sin the second area". The closest prior art, Nakagawa (US 6,246,829 B1) discloses the updating the management information of the recording medium, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

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Claims 6-10 are directed to an apparatus for recording an image signal and management information pertaining to the image signal on a disk-like recording medium having a first area for the image signal and a second area for the management information. Independent claim 6 identifies the uniquely distinct features “updating means for updating contents of the management information stored in said storage means in accordance with a recording operation of the image signal of said recording means, the management information containing update information indicating an update state of the management information” and “control means for controlling said recording means so as to record the management information containing the update information indicating a predetermined code in the second area before recording of the image signal is started, and record the management information which contains update information indicating another code and whose contents are updated by said updating means, in the second area after the recording of the image signal is completed”. The closest prior art, Nakagawa (US 6,246,829 B1) discloses the updating the management information of the recording medium, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

Claim 11 is directed to an image pickup apparatus for encoding an image signal obtained by image pickup means and recording the encoded image signal and management information pertaining to the image signal on a disk-like recording medium having a first area for the image signal and a second are for the management information. Independent claim 11 identifies the uniquely distinct feature “wherein when a decrease in electric poser from power supply means is detected, management data

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concerning an image signal recorded on said disk-like recording medium is recorded in the first area". The closest prior art, Nakagawa (US 6,246,829 B1) discloses the updating the management information of the recording medium, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725. The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTQ

